

REMARKS

An excess claim fee payment letter is submitted herewith for one (1) additional independent claim.

Claims 1-5, 8-9, and 12-24 are all the claims presently pending in the application. Claims 1 and 12-15 are amended to more clearly define the invention, claims 21-24 are added, and claims 6-7 and 10-11 are canceled. Claims 1, 14, and 23-24 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicants also note that, notwithstanding any claim amendments herein or later during prosecution, Applicants' intent is to encompass equivalents of all claim elements.

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Petrakis et al. reference.

This rejection is respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

A first exemplary embodiment of the claimed invention, as recited by, for example, independent claim 1, is directed to a securing clip for securing a first panel member with a second panel member. The securing clip includes a first fitting portion having a U-character shape, and a second fitting portion having a U-character shape. The securing clip being like the S-character in cross section. The second fitting portion include a first engaging pawl on an inner wall face. The second fitting portion includes an engagement wall having an engagement face at an end of the engagement wall that faces an opening in the closed end of

the U-character shape of the second fitting portion. A portion of the U-character shape second fitting portion, which is common to a portion of the U-character shape first fitting portion forming a middle of the S-character, comprises a second engaging pawl opposing the first engaging pawl.

A second exemplary embodiment of the claimed invention, as recited by, for example, independent claim 23, includes a securing clip for securing a first panel member with a second panel member, including: a first fitting portion having a U-character shape, a second fitting portion having a U-character shape. The securing clip being like an S-character in cross-section, and each of the first fitting portion and the second fitting portion comprising an engaging pawl on an inner wall face, and the second fitting portion comprising an engagement wall having an engagement face at an end of the engagement wall that faces an opening in the closed end of the U-character shape of the second fitting portion. The engaging pawl is provided parallel to the inner wall face of the U-character shape of the second fitting portion.

A third exemplary embodiment of the claimed invention, as recited by, for example, independent claim 24, includes a securing clip for securing a first panel member with a second panel member that includes a first fitting portion having a U-character shape, and a second fitting portion having a U-character shape. The securing clip being like an S-character in cross-section, and each of the first fitting portion and the second fitting portion comprising an engaging pawl on inner wall face, and the second fitting portion comprising an engagement wall having an engagement face at an end of the engagement wall that faces an opening in the closed end of the U-character shape of the second fitting portion. The engagement face is positioned roughly in the center between an open end and the closed end

of the U-character shape of the second fitting portion.

Conventional securing clips are subject to the risk of a distortion about the hole in the fender protector which may result in the clip releasing from the hole in the fender protector (page 1, line 23 - page 2, line 7).

In stark contrast, the present invention provides a portion of the U-character shape second fitting portion, which is common to a portion of the U-character shape first fitting portion forming a middle of the S-character, comprises a second engaging pawl opposing the first engaging pawl. In this manner, the securing clip will not distort around the hole in the second panel member and, therefore, will reduce the likelihood that the second panel member will fall off the first panel member. (Page 10, line 23 - page 11, line 9).

Further, in accordance with the second exemplary embodiment of the claimed invention, the engagement wall is provided parallel to the wall face of the U-character shape second fitting portion. In this manner, the second fitting portion is closely contacted to the engagement wall and, therefore, prevents oscillation.

II. THE PRIOR ART REJECTION

The Examiner alleges that the Petrakis et al. reference teaches the claimed invention. Applicants submit, however, that there are elements of the claimed invention which are neither taught nor suggested by the Petrakis et al. reference.

The Petrakis et al. reference does not teach or suggest the features of the claimed invention including a portion of the U-character shape second fitting portion, which is common to a portion of the U-character shape first fitting portion forming a middle of the S-character, comprises a second engaging pawl opposing the first engaging pawl. As explained

above, this feature is important for preventing the securing clip from distorting around the hole in the second panel member and, therefore, reducing the likelihood that the second panel member will fall off the first panel member.

This feature of the present invention is very clearly illustrated in Figure 2B in accordance with an exemplary embodiment of the present invention. Figure 2B illustrates a first engaging pawl 10 and a second engaging pawl 11. The second engaging pawl 11 opposes the first engaging pawl. Further, the second engaging pawl 11 is provided on a common board 2 which is common to a portion of the U-character shape first fitting portion 1A and the U-character shape second fitting portion 1B.

The Petrakis et al. reference does not teach or suggest this feature.

Indeed, the Examiner does not allege that the Petrakis et al. reference teaches or suggests this feature.

Rather, in stark contrast, the Petrakis et al. reference does not teach or suggest any second engaging pawl opposing a first engaging pawl within a U-character shape at all.

Further, the Petrakis et al. reference does not teach or suggest the features of the claimed invention including an engagement wall that is provided parallel to the wall face of the U-character shape second fitting portion as recited by, for example, independent claim 23.

Rather, and in stark contrast, the flat back 152, which the Examiner alleges corresponds to the claimed engagement wall, is clearly not parallel to a wall face of any U-character shape. Indeed, the flat back 152, is provided at a very steep angle from any U-character shape.

Moreover, the Petrakis et al. reference does not teach or suggest the features of the claimed invention including an engagement face is positioned substantially in the center

between an open end and the closed end of the U-character shape of the second fitting portion as recited by, for example, independent claim 24.

Rather, the lips 154 and 156, which the Examiner alleges corresponds to the claimed engagement face, very clearly is provided at an open end of a U-character shape of the second fitting portion. Indeed, the lips 154 and 156 are very clearly positioned at the open end of the clip that is disclosed by the Petrakis et al. reference.

The Petrakis et al. reference does not teach or suggest the features of the claimed invention including an engagement face is positioned substantially in the center between an open end and the closed end of the U-character shape of the second fitting portion as recited by, for example, independent claim 24.

Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 1-20.

III. FORMAL MATTERS AND CONCLUSION

The Office Action objects to claims 1 and 15-16, while Applicants submit that such would be clear to one of ordinary skill in the art to allow them to know the metes and bounds of the invention, taking the present Application as a whole, to speed prosecution claims 1 and 15 have been amended in accordance with Examiner Kennedy's very helpful suggestions.

In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-5, 8-9, and 12-24, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 5/30/06



James E. Howard
Registration No. 39,715

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Rd., Suite 200
Vienna, Virginia 22182
(703) 761-4100
Customer No. 21254